

**REGULAR MEETING MINUTES
ZONING BOARD OF APPEALS
WEDNESDAY, MARCH 19, 2014**

TOUR

No tour was conducted.

The Zoning Board of Appeals held a public hearing in Legislative Chamber, Room 314, Town Hall, 50 South Main Street, West Hartford, on Wednesday, March 19, 2014 at 7:00 P.M.

PRESENT: Chair: Neville; Commissioners: Grise, Foley and Smilowitz, Alternates: DiMatteo;
Secretary to Zoning Board of Appeals: Brian Pudlik

ABSENT: Commissioner Sadinsky and Alternate Doyle

HEARING LEGALLY ADVERTISED ON:

Thursday, March 6, 2014

Thursday, March 13, 2014

DECISIONS FILED WITH THE CLERK AND HARTFORD COURANT:

Tuesday, March 25, 2014

EFFECTIVE DATE: Wednesday April 9, 2014.

At the regular meeting of the Zoning Board of Appeals the following actions were taken:

- #07-14** **425 Oakwood Avenue** – Petition of Hugh Schweitzer for R. Ledwith, representing the Town of West Hartford, requesting the following three variances:
- a) Variance to section 177-6(D) or 177 Attachment 3, Standards for One-Family Residence Districts, which limits the maximum horizontal dimension of any building to 250 feet. The request is to allow for the construction of a new school, Charter Oak International Academy, which as proposed, would have a maximum horizontal dimension of +/-335 feet.
 - b) Variance to section 177-33(E)(3), Signs in connection with special use permits in single-family residence districts, which restricts signage to a single free-standing sign with a maximum size of 25 square feet. The request is to allow a total of two 18 square foot free-standing signs and one 18 square foot building-mounted sign, for an aggregate square footage of 54 square feet for all signs.
 - c) Variance to section 177-20(D)(1), Obstructions in yards. The request is to install a 6 foot chain link fence where code limits the height of fences forward of the building line to 4 feet. The fence will be code compliant with respect to the “not more than half solid” requirement.
- All requests are per plans on file.
- R-6 Zone**

At the regular meeting of the Zoning Board of Appeals, immediately following the public hearing, the following actions were taken:

Commissioner Neville made a motion to separate the individual variance requests so they could be acted on separately; second by Commissioner Smilowitz.

Vote: 5-0; Voting in favor were Commissioners DiMatteo (seated for Sadinsky), Foley, Grise, Neville and Smilowitz

Commissioner Foley made a motion to approve variance request “a”; second by Commissioner Neville. In making its decision the Board found the following conditions to exist:

1. **Granting of the variance is in harmony with the purpose and intent of the West Hartford Code of Ordinances.**
2. **Variance request is minor and will not adversely impact neighboring properties.**
3. **The Board found that there were conditions especially effecting the land and structure for which the variance was sought.**

Vote: 5-0; Voting in favor were Commissioners DiMatteo (seated for Sadinsky), Foley, Grise, Neville and Smilowitz

Petition unanimously approved.

Commissioner Grise made a motion to approve variance request “b”; second by Commissioner Foley. In making its decision the Board found the following conditions to exist:

1. **The monument sign on Oakwood Avenue is not necessary given that the location of the primary entrance to the school is on Flatbush Avenue.**
2. **The proposed monument sign on Oakwood Avenue is too close to the residential properties to the east.**
3. **The Board encourages the applicant to reapply with a modified proposal that is more sensitive to the proximity of residential properties.**

Vote: 2-3; Voting in favor were Commissioners Foley, and Neville. Voting in opposition were Commissioners DiMatteo (seated for Sadinsky), Grise and Smilowitz

Petition Denied.

Commissioner Grise made a motion to approve variance request “c”; second by Commissioner Foley. Commissioner Neville then made a motion to amend the original motion such that the applicant shall be required to install a fence that is of high quality and is as sensitive to the aesthetics of the neighborhood as is reasonably possible.

Vote to amend the original motion: 5-0; Voting in favor were Commissioners DiMatteo (seated for Sadinsky), Foley, Grise, Neville and Smilowitz

In making its decision on the motion as amended, the Board found the following conditions to exist:

1. **The majority of the property is fenced already and the variance is simply allowing for fencing the remainder of the property**
2. **Fencing of the property is required pursuant to State of CT safety regulations for schools.**

Vote on original motion as amended: 5-0; Voting in favor were Commissioners DiMatteo (seated for Sadinsky), Foley, Grise, Neville and Smilowitz

Amended petition unanimously approved.

**#08-14 188 Fern Street -Petition of S. and K. Wahlberg, requesting a variance to section 177-20(E), Obstructions in Yards. Requesting a +/- 2.5 foot variance to the 30 foot required rear yard setback for the construction of a one-story addition, per plans on file.
R-10 ZONE**

At the regular meeting of the Zoning Board of Appeals, immediately following the public hearing, the following action was taken:

Commissioner Neville made a motion to grant the petition; second by Commissioner Grise. In reaching its decision, the Board found the following conditions to exist:

1. **Granting of the variance is in harmony with the purpose and intent of the West Hartford Code of Ordinances.**
2. **Variance request is minor and will not adversely impact neighboring properties.**
3. **The Board found that there were conditions especially effecting the land and structure for which the variance was sought.**

VOTE: 5-0; Voting in favor were Commissioners: DiMatteo (seated for Sadinsky), Foley, Grise, Neville and Smilowitz.

Opposed- 0

Petition unanimously approved.

Commissioner Smilowitz made a motion to elect Commissioner Grise as ZBA Chair; Second by Commissioner Foley. VOTE 4-0 Unanimously Approved

Commissioner Grise made a motion to elect Commissioner Smilowitz as ZBA Vice Chair; Second by Commissioner Foley. VOTE 4-0 Unanimously Approved

Commissioner Neville made a motion approve the minutes of both January 15, 2014 and February 19, 2014; second by Commissioner Foley. VOTE: 5-0 Unanimously Approved.

Commissioner Neville made a motion to adjourn; second by Commissioner Grise. VOTE: 5-0. Unanimously Approved.

Respectfully Submitted,

Brian Pudlik
Secretary to the Zoning Board of Appeals

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